THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20065 OF 2003

DATED 05th JULY, 2007

BETWEEN

Ramisetti Veera Swamy

… Petitioner

AND

The Special Deputy Collector (Tribal Welfare), K.R.Puram, Buttayigudem Mandal, West Godavari District and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20065 OF 2003

ORDER:

The petitioner is allegedly owner of land admeasuring Acs.4.27 in R.S.No.481/2A situated at Ganapavaram of Buttaigudem Mandal of West Godavari District. The property was purchased by his wife under a registered sale deed, dated 01.05.1937 from Poruri Koteswara Rao, who was the original pattadar. The petitioner is statedly cultivating the land. First respondent initiated action in S.R.No.39 of 2001 against the petitioner and the action was dropped on 12.02.2001. Again, first respondent initiated action against Gangiredla Balaramayya and Kurru Venkanna in S.R.No.35 of 2001, which was also dropped by order, dated 10.05.2001. The petitioner's grievance is that though initially S.R.No.39 of 2001 was initiated against him and action was dropped, and though he was in possession of the land, respondents 1 and 2 initiated action in S.R.No.35 of 2001 against Balaramayya, who had died, which itself is illegal. Therefore, he filed the present writ petition apprehending that the order might affect his rights.

Whether it is S.R.No.39 of 2001 or S.R.No.35 of 2001, first respondent passed orders in favour of those persons who are in possession. No order of eviction was passed. As rightly pointed out by learned Government Pleader, S.R.No.39 of 2001 was initiated against the petitioner showing him the beneficiary of a transaction, which was allegedly in contravention of A.P.Scheduled Areas Land Transfer Regulation, 1959, as amended by Regulation No.1 of 1970 (the Regulation, for brevity). However, by order, dated 12.02.2001, first respondent found that the transaction does not contravene the provisions of the Regulation.

In that view of the matter, the writ petition is wholly misconceived and is accordingly dismissed. No costs.

_____

(V.V.S.RAO,J)

05.07.2007.
pln